

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

W.R. GRACE & CO., *et al.*,

Debtors.

Chapter 11

Case No. 01-01139 (JKF)

Jointly Administered

Ref. No. 21544

**NOTICE OF DEPOSITION OF CNA COMPANIES  
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 30(b)(6)**

**PLEASE TAKE NOTICE** that, pursuant to Rule 30 of the Federal Rules of Civil Procedure and Rules 7030 and 9014 of the Federal Rules of Bankruptcy Procedure, the claimants injured by exposure to asbestos from the Debtors' operations in Lincoln County, Montana (the "Libby Claimants"),<sup>1</sup> through their undersigned counsel, will take the deposition of **CNA Companies** ("CNA"). The deposition will commence on **June 15, 2009**, beginning at **3:00 p.m.**, at Landis Rath & Cobb LLP, 919 Market Street, Suite 1800, Wilmington, DE 19801, or on such other date and at such other location as mutually agreed by the Libby Claimants and CNA. The deposition will continue from day to day thereafter until complete. The deposition will proceed before an officer authorized by law to administer oaths and will be recorded by audio, video and/or stenographic means. You are hereby invited to attend and examine the witness.

Pursuant to Rule 30(b)(6), CNA shall designate one or more officers, directors, managing agents, or other persons who consent to testify on their behalf as to all facts and other information known or reasonably available to CNA relating to the matters set forth in Attachment A. For each person designated to testify as to any matters set forth in Attachment A, CNA is requested to produce at the deposition all documents which the person has reviewed in

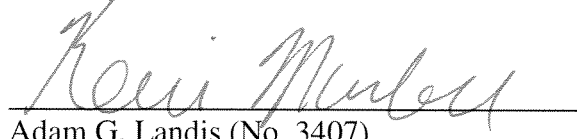
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<sup>1</sup> As identified in the Amended and Restated Verified Statement of Cohn Whitesell & Goldberg LLP and Landis Rath & Cobb LLP Pursuant to Fed. R. Bankr. P. 2019 [D.I. 21365], as it may be amended and restated from time to time.

preparing to testify with respect to the matters as to which the person is designated to testify, and, unless already made available in discovery, all other documents relating to the matters set forth in Attachment A.

Dated: June 11, 2009  
Wilmington, Delaware

**LANDIS RATH & COBB LLP**

A handwritten signature in cursive script, appearing to read "Adam G. Landis", is written over a horizontal line.

Adam G. Landis (No. 3407)  
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- and -

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*Counsel for Libby Claimants*

## **ATTACHMENT A**

### **I. DEFINITIONS**

The following definitions shall apply for purposes of this deposition notice:

1. “Plan” means the Debtors’ First Amended Joint Plan of Reorganization Under Chapter 11 of the Bankruptcy Code of W.R. Grace & Co., et al., the Official Committee of Asbestos Personal Injury Claimants, the Asbestos PI Future Claimants Representative, and the Official Committee of Equity Security Holders dated February 27, 2009

2. “Debtors” shall have the meaning described in the Plan.

3. “Document” or “documents” shall have the meaning set forth in Rule 34 of the Federal Rules of Civil Procedure, and shall include, without limitation, the original and non-identical copy of any written, electronic, recorded, or graphic matter, however produced or reproduced, including without limitation, any correspondence, memoranda, notes, meeting minutes, telegrams, reports, transcripts, e-mails, or telephone conversations or any other writings or documentary material of any nature whatsoever, together with any attachments thereto and enclosures therewith, and any other retrievable matter (whether encarded, taped or encoded, electrostatically or otherwise), in the possession, custody, or control, of you, your agents, employees, counsel, or other representatives. Non-identical copies, drafts, and identical copies with handwriting are separate “documents” within the meaning of that term.

### **II. SUBJECTS OF INQUIRY**

1. Debtors’ insurance policies (whether owned by the Debtors or purchased for another entity), coverage issues, settlements and settlement negotiations with the Debtors.
2. Debtors’ insurance coverage for products/completed operations, including terms thereof, aggregate caps, and defenses to and limitations on such coverage.

3. Debtors' insurance coverage for premises/non-completed operations, including terms thereof, aggregate caps, and defenses to and limitations on such coverage.